
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1336 Session of
2019

INTRODUCED BY WALSH, DUNBAR, RYAN, MILLARD, STRUZZI, JOHNSON-
HARRELL AND SCHLEGEL CULVER, APRIL 26, 2019

REFERRED TO COMMITTEE ON LABOR AND INDUSTRY, APRIL 26, 2019

AN ACT

1 Amending the act of December 18, 2001 (P.L.949, No.114),
2 entitled "An act establishing a unified workforce investment
3 system; restructuring certain administrative functions,
4 procedures and entities; transferring workforce development
5 functions of Commonwealth agencies; establishing the
6 Pennsylvania Workforce Investment Board; providing for
7 critical job training grants, for guarantees for program
8 quality and performance for workforce development programs,
9 for workforce leadership grants and for industry
10 partnerships; establishing the Keystone Works Program; and
11 authorizing local workforce investment boards," in
12 preliminary provisions, further providing for declaration of
13 policy and for definitions and providing for lead State
14 agency; in board, further providing for establishment, for
15 membership, for plan, functions and responsibilities and for
16 State performance management system; in local workforce
17 investment areas and boards, further providing for plan,
18 functions and responsibilities and for local performance
19 measures; and making editorial changes.

20 The General Assembly of the Commonwealth of Pennsylvania
21 hereby enacts as follows:

22 Section 1. Section 102(5) of the act of December 18, 2001
23 (P.L.949, No.114), known as the Workforce Development Act, is
24 amended to read:

25 Section 102. Declaration of policy.

26 The General Assembly finds and declares as follows:

1 * * *

2 (5) This act enables the Commonwealth to participate in
3 the program under the Workforce [Investment Act of 1998
4 (Public Law 105-220, 112 Stat. 936)] Innovation and
5 Opportunity Act (Public Law 113-128, 128 Stat. 1425).

6 Section 2. The definition of "participating agencies" in
7 section 103 of the act is amended and the section is amended by
8 adding definitions to read:

9 Section 103. Definitions.

10 The following words and phrases when used in this act shall
11 have the meanings given to them in this section unless the
12 context clearly indicates otherwise:

13 * * *

14 "Department." The Department of Community and Economic
15 Development.

16 "Deputy for Workforce Development." The highest ranking
17 individual other than the Secretary of Community and Economic
18 Development who is employed by the Department of Community and
19 Economic Development and is responsible for managing the unified
20 system.

21 * * *

22 "Participating agencies." All of the following:

23 (1) The Department of Aging.

24 (2) The Department of Community and Economic
25 Development.

26 (3) The Department of Education.

27 (4) The Department of Labor and Industry.

28 (5) The Department of [Public Welfare] Human Services.

29 (6) Any agency which oversees and monitors funds
30 appropriated by the Federal Government and designated by the

1 Governor or funds specifically appropriated by the General
2 Assembly for workforce investment which falls under the
3 authority of the board.

4 * * *

5 Section 3. The act is amended by adding a section to read:

6 Section 105. Lead State agency.

7 The department shall be designated as the lead State agency
8 under the Workforce Innovation and Opportunity Act (Public Law
9 113-128, 128 Stat. 1425).

10 Section 4. Sections 301, 302(a)(3), (d) and (i), 304(a)
11 introductory paragraph, 305.1(a) and (b) last paragraph, 504(b)
12 (7)(i)(F) and 505(c) of the act are amended to read:

13 Section 301. Establishment.

14 The Pennsylvania Workforce Investment Board is established
15 within the department to advise and assist the Governor and the
16 General Assembly on the implementation of a unified system to
17 assure a well-educated, highly skilled workforce. The board is
18 responsible for unifying the Commonwealth's existing Federal and
19 State workforce investment programs into an integrated system.
20 All recommendations and decisions of the board shall be in
21 compliance with the Workforce [Investment Act of 1998 (Public
22 Law 105-220, 112 Stat. 936)] Innovation and Opportunity Act
23 (Public Law 113-128, 128 Stat. 1425).

24 Section 302. Membership.

25 (a) General rule.--The board shall be established as
26 follows:

27 * * *

28 (3) Representatives appointed by the Governor who are:

29 (i) Representatives of business, including private
30 sector employers, representatives from each of the

1 Commonwealth's marketing regions, owners of businesses,
2 chief executive officers, other business executives with
3 optimum policymaking or hiring authority, members of
4 local workforce investment boards and businesses that
5 reflect the employment opportunities in this
6 Commonwealth, including large and small employers.

7 (ii) Chief elected officials nominated by Statewide
8 organizations or associations representing elected
9 officials.

10 (iii) Representatives of labor organizations who
11 have been nominated by State labor federations.

12 (iv) Representatives of individuals and
13 organizations experienced with respect to youth
14 activities.

15 (v) Representatives of organizations which have
16 experience and expertise in the delivery of workforce
17 investment activities, including chief executive officers
18 of community colleges, technical colleges and community-
19 based organizations in this Commonwealth.

20 [(v.1) The chair or a cochair of the Health Careers
21 Leadership Council of the Pennsylvania Center for Health
22 Careers.]

23 (vi) Lead Commonwealth agency officials, including:

24 (A) The Secretary of Aging.

25 (B) The Secretary of Community and Economic
26 Development.

27 (C) The Secretary of Education.

28 (D) The Secretary of Labor and Industry.

29 (E) The Secretary of [Public Welfare] Human
30 Services.

1 (F) The Director of the Governor's Policy
2 Office.

3 (vii) Any other representative or Commonwealth
4 agency official the Governor deems necessary.

5 * * *

6 (d) Staff.--[The board may employ a limited staff to
7 implement the decisions of the board.] The Deputy for Workforce
8 Development or a designee shall serve as the executive director
9 for the board. The department shall provide administrative
10 services and the use of staff to the board.

11 * * *

12 (i) Personnel, equipment, resources.--The policy and program
13 offices of the [Department of Aging, the Department of Community
14 and Economic Development, the Department of Education, the
15 Department of Labor and Industry and the Department of Public
16 Welfare shall] participating agencies shall, upon request of the
17 board, provide personnel, equipment and resources as required
18 for the functioning of the board.

19 Section 304. Plan, functions and responsibilities.

20 (a) General rule.--The board, in furtherance of section 102,
21 shall advise and assist the Governor and the Deputy for
22 Workforce Development on all of the following:

23 * * *

24 Section 305.1. State performance management system.

25 (a) General rule.--The board shall establish a system for
26 the development, oversight, modification and continuous
27 improvement of a comprehensive performance accountability system
28 that will provide effective measures of the performance and
29 impact of the workforce development system at the State and
30 local levels. The department shall provide assistance to the

1 board in the execution of the board's duties under this section.

2 The system will include input from board members, local
3 workforce investment boards, operators of the one-stop delivery
4 system, workforce development program providers, business and
5 industry and the participating agencies. The system will be
6 designed to produce recommendations to the board, the Governor
7 and the General Assembly and shall function within time frames
8 established by the board. The system shall be comprehensive and
9 provide a reporting system for program funding as established by
10 the board. The system shall:

11 (1) Identify one or more State agencies responsible for
12 the coordination and management of data.

13 (2) Identify systems for tracking and reporting of
14 information and determining the role of the State and local
15 workforce investment boards.

16 (3) Enable the development and funding of a locally
17 based management information system that will provide local
18 workforce investment boards and the board with management
19 data.

20 (4) Enable revisions to the performance management
21 system.

22 (b) Required performance measures.--The State performance
23 management system shall include:

24 * * *

25 The required performance measures in paragraphs (1) through (5)
26 may be modified by the board to be aligned with common
27 performance measures adopted pursuant to revisions to the
28 Workforce [Investment Act of 1998 (Public Law 105-220, 112 Stat.
29 936)] Innovation and Opportunity Act (Public Law 113-128, 128
30 Stat. 1425) or the adoption of common performance measures by

1 the Federal agencies covered by this act.

2 * * *

3 Section 504. Plan, functions and responsibilities.

4 * * *

5 (b) Functions and responsibilities.--A local workforce
6 investment board, in order to develop and implement a unified
7 workforce investment plan for the investment and utilization of
8 private and public resources to meet the current and future
9 workforce investment needs of its region in furtherance of
10 section 102, has the following functions and responsibilities:

11 * * *

12 (7) To authorize use of local workforce investment
13 funds, including individual training accounts, where
14 applicable, for eligible customers, for any of the following
15 services:

16 (i) Core services shall be available to individuals
17 who are adults or dislocated workers through the one-stop
18 delivery system and shall, at a minimum, include all of
19 the following:

20 * * *

21 (F) Provision of performance information and
22 program cost information on eligible providers of
23 training services, provided by program, eligible
24 providers of youth activities, providers of adult
25 education, providers of postsecondary vocational
26 education activities and vocational education
27 activities available to school dropouts under the
28 Carl D. Perkins [Vocational and Applied Technology
29 Education Act] Career and Technical Education Act of
30 2006 (Public Law 88-210, 20 U.S.C. § 2301 et seq.)

1 and providers of vocational rehabilitation program
2 activities described in the Rehabilitation Act of
3 1973 (Public Law 93-112, 29 U.S.C. § 701 et seq.).

4 * * *

5 Section 505. Local performance measures.

6 * * *

7 [(c) School-to-Work Opportunities Act of 1994.--No funds
8 made available under the Workforce Investment Act of 1998
9 (Public Law 105-220, 112 Stat. 936) shall be used to develop or
10 continue programs or activities created under the School-to-Work
11 Opportunities Act of 1994 (Public Law 103-239, 108 Stat. 568).]

12 Section 5. This act shall take effect in 60 days.